

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re: ) Chapter 7  
 ) Case No. 15-14825  
Grant & Rebecca Didier, )  
 ) Honorable Donald R. Cassling  
 ) (Kane County)  
Debtors. ) Hearing Date: January 8, 2016  
 ) Hearing Time: 10:30 A.M.

COVER SHEET FOR APPLICATION FOR  
PROFESSIONAL COMPENSATION

Name of Applicant: Baldi Berg, Ltd.

Authorized to Provide  
Professional Services to: Elizabeth C. Berg, Trustee

Date of Order Authorizing  
Employment: May 15, 2015

Period for Which  
Compensation is sought: May 4, 2015 to Close of Case

Amount of Fees sought: \$1,781.00

Amount of Expense  
Reimbursement sought: \$ 0.00

This is an: Interim Application     Final Application   X  

If this is not the first application filed herein by this professional, disclose as to all prior fee applications:

<u>Date Filed</u>	<u>Period Covered</u>	<u>Total Requested (Fees &amp; Expenses)</u>	<u>Total Allowed</u>
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The aggregate amount of fees and expenses paid to the Applicant to date for services rendered and expenses incurred herein is: \$0.00.

Dated: December 8, 2015

Elizabeth C. Berg, Trustee of the Estate of  
Grant & Rebecca Didier, Debtors

By: /s/ Elizabeth C. Berg, Trustee

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re	)	Chapter 7
	)	Case No. 15-14825
Grant & Rebecca Didier,	)	Hon. Donald R. Cassling
	)	Hearing Date: January 8, 2016
Debtors.	)	Hearing Time: 10:30 A.M.

**Application for Allowance and Payment of Final Compensation and Reimbursement of Expenses of Baldi Berg, Ltd., Attorneys for Trustee**

Baldi Berg, Ltd., ("BB"), attorneys for Elizabeth C. Berg, as trustee ("Trustee") of the estate ("Estate") of Grant and Rebecca Didier, debtors ("Debtors"), pursuant to section 330 of title 11, United States Code ("Code"), requests this Court to enter an order for the allowance and payment to BB of \$1,781.00 as final compensation for 9.40 hours of legal services rendered to the Trustee from May 4, 2015 through the close of this case. In support thereof, BB respectfully states as follows:

**Introduction**

1. Debtors commenced this case on April 27, 2015 by filing a voluntary petition for relief under chapter 7 of the Code.

2. Elizabeth C. Berg is the duly appointed, qualified and acting chapter 7 trustee in this case.

3. At the time of filing, the estate held an interest in the debtors' post-petition real estate commissions due to them ("RE Commissions").

4. The bar date for filing non-governmental claims in this case was September 4, 2015 and for filing governmental claims was October 26, 2015.

**Retention of BB**

5. On May 15, 2015, the Court entered an ordered authorizing Trustee to employ Elizabeth C. Berg and the law firm of BB as her counsel in this case. A copy of the order

authorizing Trustee to retain BB is attached hereto as Exhibit A. BB has served as counsel for Trustee at all times since its retention.

6. The professional qualifications and experience of the BB attorneys and paralegals that have performed substantial legal services for the Trustee during the period covered by this Application are set forth in Exhibit B. The attorneys and paralegals who were responsible for representing the Trustee in this case are:

Elizabeth C. Berg -- Partner  
Jason Manola -- Paralegal

**Prior Compensation Received**

7. This is the first and final application ("Application") for allowance and payment of compensation that BB will file in this case.

**Services Rendered by BB**

8. Itemized and detailed descriptions of the specific services rendered by BB to the Trustee for which compensation is sought in this Application are reflected on the billing statements attached hereto as Exhibit C. The billing statements set forth the name of each attorney or paralegal, the amount of time spent rendering each service, the date on which each service was rendered, a description of the service rendered and the total number of hours of services rendered by each attorney or paralegal.

9. The services provided by BB have been summarized below and are the services rendered by BB during the period covered by this Application: BB prepared and presented the Trustee's Motion to Employ Attorneys; BB prepared and presented Trustee's Motion to Employ Accountants; BB researched and analyzed Recapture Agreements in relation to Debtors' land development business; In addition, BB prepared and presented this final fee application.

In connection with the foregoing, BB spent 9.40 hours for which its requests allowance and payment of final compensation in the amount of \$1,781.00.

### **Compensation Requested**

10. In connection with the foregoing services described and categorized in paragraph nine above, BB spent 9.40 hours for which the total value of the services rendered is \$1,781.00.

11. All of the services performed by BB were required for proper representation of the Trustee in this case, were authorized by this Court and were performed by BB at the request and direction of the Trustee. Pursuant to Section 330 of the Code and the generally applicable criteria with respect to the nature, extent and value of the services performed, all of BB' services are compensable and the compensation requested herein is fair and reasonable. There has been no duplication of services rendered to the Trustee by BB for which compensation is requested.

12. The rates charged by the attorneys and paralegals of BB in this Application, as adjusted from time to time, are their usual and customary hourly rates charged during the period covered by this Application for work performed for other clients in both bankruptcy and non-bankruptcy matters. A list of each person who performed services for the Trustee and their hourly rate is contained in the billing statements attached hereto as Exhibit C.

### **Payment of Compensation**

13. BB has not entered into any agreement or understanding of any kind, express or implied, with any other entity to share any compensation or expense reimbursement to be received by BB for services rendered to the Trustee or expenses incurred in connection with this case.

14. BB has not previously received or been promised any payments for services rendered or expenses incurred in this case.

15. The Affidavit of Elizabeth C. Berg pursuant to Rule 2016 of the Federal Rules of Bankruptcy Procedure is attached hereto as Exhibit D and made a part hereof.

17. The proposed source for payment of the compensation requested in this

Application are the Estate funds in the Trustee's possession, collected by her during her administration of this case.

#### **Status of the Case**

18. The Trustee has administered all of the assets belonging to this Estate and completed her review and analysis of the claims filed against the Estate.

19. Trustee has completed and filed her Final Report simultaneously herewith. Final fee applications for the Trustee and the Trustee's Accountants have also been filed concurrently with this Application.

#### **Financial Condition of the Case**

20. Trustee currently has approximately \$17,800.00 on deposit in the Estate's bank accounts. The chapter 7 administrative expenses that are currently owing and those the Trustee anticipates the Estate will incur prior to the closing of this case include 1) the fees and expenses allowed to Trustee in connection with her final fee application, 2) the legal fees and expenses allowed to BB in connection with this final fee application, 3) the fees and expenses allowed to Trustee's Accountant in connection with their final fee application, and 4) any other fees which may be due or outstanding to the offices of the United States Trustee and the Clerk of the United States Bankruptcy Court.

21. Following payment of all chapter 7 administrative expenses set forth above, Trustee anticipates there will be only be sufficient funds available to make a partial distribution to the priority unsecured creditors and that general unsecured creditors will not receive a distribution.

#### **Trustee's Approval**

22. BB certifies that the Trustee has received, reviewed and approved this Application.

WHEREFORE, BB, attorneys for Elizabeth C. Berg, as trustee, requests the

A. Allowing to BB final compensation in the amount of \$1,781.00 for actual and necessary professional services rendered to the Trustee from May 4, 2015 through the closing of this case;

**C. For such other and further relief as this Court deems appropriate.**

**Attorneys for Elizabeth C. Berg, as trustee of the  
estate of Grant & Rebecca Didier, debtors**

**Elizabeth C. Berg  
Baldi Berg, Ltd.  
20 N.Clark Street, Suite 200  
Chicago, IL 60602  
312.726.8150**

**Baldi Berg, Ltd.  
Final Fee Application**

**Grant & Rebecca Didier, Debtors  
Case No. 15-14825**

**Retention Order**

**Exhibit A**

Document Page 1 of 1  
UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
Eastern Division

In Re:	)	BK No.: 15-14825
Rebecca & Grant Didier,	)	
	)	
	)	Chapter: 7
	)	Honorable Donald R. Cassling
	)	
	)	Kane
Debtor(s)	)	

**Order Authorizing Trustee to Employ Attorneys**

THIS CAUSE comes before this Court on the Trustee's Application to Employ Elizabeth C. Berg and the law firm of Baldi Berg, Ltd. as attorneys for Trustee and the supporting affidavit of Elizabeth C. Berg; and the Court being fully advised in the premises:

IT IS HEREBY ORDERED that Elizabeth C. Berg, as trustee of the bankruptcy estate of Rebecca & Grant Didier, is authorized to employ Elizabeth C. Berg and the law firm of Baldi Berg, Ltd. to act as counsel for the Trustee, with compensation to be paid in such amounts as may be allowed by this Court, only upon further application.

Enter:

*Donald R. Cassling*

Honorable Donald R. Cassling  
United States Bankruptcy Judge

Dated: May 15, 2015

**Prepared by:**

Elizabeth C. Berg  
Baldi Berg, Ltd.  
20 N. Clark Street, Ste. 200  
Chicago, IL 60602  
312.726.8150



**Baldi Berg, Ltd.  
Final Fee Application**

**Grant & Rebecca Didier, Debtors  
Case No. 15-14825**

### **Professional Qualifications**

**Exhibit B**

**Baldi Berg & Wallace, Ltd.**

**Elizabeth C. Berg**

Elizabeth C. Berg is a partner of Baldi Berg & Wallace, a Chicago area bankruptcy boutique, and has been with the firm since its inception in April, 2000. Before her affiliation with Baldi, Berg & Wallace, Mrs. Berg worked at the Chicago law firms of Schwartz & Freeman; Rosenthal and Schanfield; and Weissman, Smolev & Pond.

Mrs. Berg has specialized in bankruptcy law since her admission to the bar in 1989 and has focused her practice in the representation of bankruptcy trustees, primarily in chapter 7 bankruptcies. Since 2010, Mrs. Berg has served on the panel of private bankruptcy trustees appointed by the Office of the United States Trustee for the Northern District of Illinois. Prior to her graduation from law school, Mrs. Berg spent six years as a legal assistant, focusing her practice in the areas of secured transactions, mortgage lending, and corporate and bankruptcy law.

Mrs. Berg is admitted to practice in the State of Illinois and the United States District Court for the Northern District of Illinois. She is a member of the National Association of Bankruptcy Trustees and the American Bankruptcy Institute. She over the years, has been a participant in the regional CARE program and delivers credit abuse and financial literacy presentations to area high schools. She has also been a part-time instructor in the Paralegal Studies Department of Northwestern Business College where she taught introductory law classes to prospective legal assistants. Mrs. Berg received her Juris Doctor from Loyola University of Chicago School of Law and her certification as a paralegal from Roosevelt University in Chicago, Illinois. She holds a Bachelor of Arts degree from Brown University in French Language and Culture and studied at La Sorbonne and l'Université de Paris as an undergraduate.

In addition to her legal and academic pursuits, Mrs. Berg has been active in her hometown of Glen Ellyn, Illinois, serving as a Girl Scout Leader for nine years and volunteering in a variety of activities at her church and in the local schools.

**Baldi Berg, Ltd.**

**Jason M. Manola**

Jason M. Manola is a paralegal with the firm. Mr. Manola has worked with Baldi Berg, Ltd. since 2011. He is a member of the Chicago Bar Association and the DuPage County Bar Association. Mr. Manola is currently pursuing his Paralegal Certificate at the College of DuPage in Glen Ellyn, Illinois. Mr. Manola received his Bachelor of Arts degree from the University of Iowa in Sports Management and Entrepreneurship.

**Baldi Berg, Ltd.  
Final Fee Application**

**Grant & Rebecca Didier, Debtors  
Case No. 15-14825**

**Billing Statements**

**Exhibit C**

**Baldi Berg, Ltd.**  
**20 N. Clark Street**  
**Suite 200**  
**Chicago, IL 60602**

Phone: (312) 726-8150

Fax: (312) 470-6323

FEIN: 36-4352753

**Invoice submitted to:**

December 3, 2015

Invoice No: 02652

Elizabeth C. Berg, Trustee  
 Baldi Berg, Ltd.  
 20 N. Clark Street  
 Suite 200  
 Chicago, ILLINOIS 60602

**In Reference to:** *Didier - General Administration***Professional Services**

<u>Date</u>	<u>Staff</u>	<u>Description</u>	<u>Hours</u>	<u>Charges</u>
5/04/2015	JMM	Consult w/ TR re: retention of attys and accountants (.1), Draft Motion to Employ Attys (.8), Affidavit (.1), Proposed Order (.1), Edit Motion to Employ Attys (.3) and Proposed Order (.1)	1.50 \$185.00/ hr	\$277.50
5/04/2015	JMM	Draft Motion to Employ Accountants (.6), Affidavit (.1), Proposed Order (.1), Send email to Lois re: Motion, Creditor List, Affidavit (.1), Edit Motion to Employ Accountants (.3)	1.20 \$185.00/ hr	\$222.00
6/03/2015	ECB	Preliminary review of Downers Grove and Lisle recapture agreements (.3)	0.30 \$325.00/ hr	\$97.50
6/09/2015	JMM	Review Recapture Agreement Docs provided by Debtor (.4), Obtain Lexis Report on Didier Development and analyze (.3), Listen to 341 Meeting testimony re: recapture agreement status, history, collected payments (.3), Search DuPage County Recorder of Deeds for Lisle Property, Pull Recapture Agreement (.2), Review and analyze Recapture Agreement - how/when does developer get repaid (.9), Discuss information and findings with TR and what to do next (.2)	2.30 \$185.00/ hr	\$425.50

**Baldi Berg, Ltd**

12/03/2015

Didier - General Administration

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6/11/2015	JMM	Research Downers Grove properties which recapture agreement refers to (.6), Review Downers Grove Sanitary District Unsewered Area Plan re: properties (.4), TC to Downers Grove Sanitary Dept re: how agreement works, potential for recovery of money spent by Didier Development (.3)	1.30 \$185.00/ hr	\$240.50
6/12/2015	JMM	Draft Memo to ECB and file re: Downers Grove Recapture Agmt findings	0.70 \$185.00/ hr	\$129.50
11/17/2015	JMM	Prepare BB Fee Application (1.4), Draft coversheet, proposed order and affidavit (.3), Review and edit same (.4)	2.10 \$185.00/ hr	\$388.50

Total Fees	\$1,781.00
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Total New Charges	\$1,781.00
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Previous Balance	\$0.00
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Balance Due	\$1,781.00
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***Timekeeper Summary***

<u>Name</u>	<u>Hours</u>	<u>Rate</u>
Elizabeth C Berg	0.30	\$325.00
Jason M Manola	9.10	\$185.00
	<u>9.4</u>	

**Baldi Berg, Ltd.  
Final Fee Application**

**Grant & Rebecca Didier, Debtors  
Case No. 15-14825**

**Rule 2016 Affidavit**

**Exhibit D**

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In re:	)	Chapter 7
	)	
Grant & Rebecca Didier,	)	Case No. 15-14825
	)	
Debtors.	)	Honorable Donald R. Cassling (Kane County)

**Rule 2016 Affidavit**

State of Illinois )  
County of Cook )

I, Elizabeth C. Berg, being first duly sworn upon oath, do depose and state as follows:


1. I am a shareholder of Baldi Berg, Ltd. and am authorized to execute this affidavit on behalf of Baldi Berg, Ltd.

2. I have read the Application for Allowance and Payment of Final Compensation of Baldi Berg, Ltd., Attorneys for Trustee ("Application") and all of the factual matters set forth therein are true to the best of my knowledge, information and belief. Baldi Berg, Ltd. has performed the services set forth and described in the Application at the request and pursuant to the direction of the Trustee.

3. A copy of the Application has been provided to Trustee and the Trustee has reviewed and approved the Application.

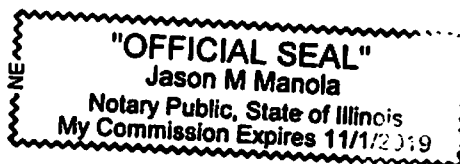
4. Baldi Berg, Ltd. has not previously received payment of any compensation for services rendered or reimbursement for expenses incurred in connection with this case. Baldi Berg, Ltd. has not entered into any agreement with any other person or persons for the sharing of compensation or expense reimbursement to be received in connection with this matter, except among the principals and associates of Baldi Berg, Ltd.

5. Further affiant sayeth naught.

  
Elizabeth C. Berg

Subscribed and Sworn to before me  
this 7<sup>th</sup> day of December, 2015.

  
Notary Public



**Exhibit D**